

# Appeal Decision

Site visit made on 17 February 2015

**by Mike Robins MSc BSc(Hons) MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 17 March 2015**

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**Appeal Ref: APP/D0840/A/14/3000663**

**Highfield Stables, Nancherrow, St Just, Cornwall TR19 7PW**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr W Tieken against the decision of Cornwall Council.
  - The application Ref PA14/05544, dated 13 June 2014, was refused by notice dated 2 September 2014.
  - The development proposed is a pair of holiday units.
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## Decision

1. The appeal is dismissed.

## Application for costs

2. An application for costs was made by Mr W Tieken against Cornwall Council. This application is the subject of a separate Decision.

## Main Issues

3. I consider that the main issue in this case is the effect of the proposed development on the character and appearance of the area, which lies within the West Penwith Area of Outstanding Natural Beauty (AONB) and the Nancherrow and Tregeseal Conservation Area (CA).

## Reasons

4. The appeal site comprises former stables associated with Highfield House. The stables are set into a terrace on the sloping hillside to the north of the village and are no longer required for equestrian use. The buildings are relatively run-down, but have a simplicity and finish that lends them a recessive and unremarkable appearance; they are reflective of their former use and do not detract from the character of the area.
5. Highfield House is located only a short distance to the west, and is a substantial residential property, which is noted in the draft Conservation Area Appraisal as being a significant historic building. I would agree; the house holds a commanding position over the village, in which evidence of the historic agricultural and mining development can still be clearly seen. The house has significance related to both of these elements. Despite some later barn development to both this farm and others along the valley sides, the house retains its prominence and forms an important element of the semi-rural, post industrial landscape, which so defines the CA and the AONB here.

6. Views encompassing the village and the associated development along the northern hill slope, which includes the appeal site, are obtained from the B3306 entering the village from St Just and from New Road to the east. Clear views across the valley are also obtained from footpaths, which lead from the Church in St Just and down into the valley.
7. The proposal would demolish the existing buildings and replace them with two holiday units. Unit 1 would be T-shaped with a mono-pitch roof and single-storey form. Unit 2 would be two-storey with a large south facing gable with extensive glazing.
8. This is a sensitive area in which great care must be taken to assimilate new development into the existing fabric, and the highest standards of design must be achieved. I accept that more modern additions can be included within a CA, if properly justified, and I am satisfied that a scheme including a simple palette of slate, timber and glass could be appropriate. In this context, I consider that Unit 1 would present an acceptable replacement, being a relatively recessive form set against the steep terrace leading up to the sand school behind.
9. However, Unit 2 would be considerably larger, with a ridge higher than that of Highfield House. It would present an uncharacteristic domestic form with a dominating glazed element, which would be significantly out of character with the existing architecture and scale of this part of the CA. Its height and design would establish a jarring form that would compete with the simple grandeur of Highfield House, to the detriment of the significance of that property and the area generally.
10. The Penwith Local Plan is of some age and while it has policies that seek to respect traditional patterns of development and avoid significant harm to the landscape and historic character of the area<sup>1</sup>, these policies must be viewed in light of their consistency with later national policy and guidance in the National Planning Policy Framework (the Framework).
11. This sets out that AONBs should receive the highest standard of protection, and that great weight should be given to the conservation of historic assets<sup>2</sup>. However, the Framework is supportive of economic growth in rural areas and the diversification of land-based rural businesses<sup>3</sup>. Emerging policy is set out in the Cornwall Local Plan. While it may set out the direction of policy development in the area, it has not progressed to examination and there are outstanding objections; it can therefore be given only limited weight.
12. Although a feasibility study was provided, the appellant argued that a viability assessment or similar should not be required, and that similar developments had been allowed without such assessment in the area. The Framework sets out that local and neighbourhood plans should promote policies that support sustainable rural tourism, which benefits businesses in the rural area and respects the character of the countryside. This includes the provision of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.
13. Thus, while focussed on local plan development, the Framework policy approach acknowledges the need to balance accessibility and landscape harm

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<sup>1</sup> Policies GD-1, GD-2, CC-1 and CC-16

<sup>2</sup> Paragraphs 115, 131 and 132

<sup>3</sup> Paragraph 28

with benefits to the rural area and businesses. I consider that an understanding of need is necessary to justify whether such rural economic development would be viable in the longer term and justified in such a location. However, I note the appellant refers me to a Council decision<sup>4</sup> where such an assessment was not sought. There were other elements that can be considered to set this decision apart from the one before me, but I also accept that West Cornwall is an area with a significant reliance on tourism, and that high quality accommodation can form an important component supporting tourism income over much longer periods than the traditional summer seasons.

14. Therefore, although the revised information remained somewhat generic, I find that the submitted report was not so deficient as to have justified dismissal on that ground alone. I accept that, taking account of the particular circumstances of this proposal, there is likely to be a need for this sort of development in this area.
15. The Framework requires that this proposal be considered against the three elements of sustainable development, an approach consistent with the various decisions and previous appeals<sup>5</sup> referenced by the appellant. There would be economic gains from the proposal, which would weigh in its favour, and I find the site to be reasonably related to the services and facilities available in St Just. The removal of the run-down stables would also have a limited benefit in terms of the appearance of the local area. However, I have found that the proposed design would result in a failure to preserve the character and appearance of the CA and would materially harm the landscape of the AONB. I must give such harm significant weight in terms of the environmental and social impacts it represents.
16. Accordingly, the proposal would conflict with the relevant Local Plan policies and would not represent sustainable development as set out in the Framework. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*Mike Robins*

INSPECTOR

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<sup>4</sup> PA13/06715

<sup>5</sup> APP/D0840/A/14/2214949, APP/D0840/A/14/2226434, APP/D0840/A/13/2202499